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**BEFORE THE
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:

Case No. 2010-412

KRISTEN RAE KARVOSKY FREEMAN
a.k.a Kristen Rae Freeman
1160 Belfair Drive
Pinole, CA 94564

DEFAULT DECISION AND ORDER

[Gov. Code, §11520]

Registered Nurse License No. 659861

RESPONDENT

FINDINGS OF FACT

1. On or about March 2, 2010, Complainant Louise R. Bailey, M.Ed.,RN, in her official capacity as the Interim Executive Officer of the Board of Registered Nursing, Department of Consumer Affairs, filed Accusation No. 2010-412 against Kristen Rae Karvosky Freeman (Respondent) before the Board of Registered Nursing.

2. On or about June 30, 2005, the Board of Registered Nursing (Board) issued Registered Nurse License No. 659861 to Respondent. The Registered Nurse License was in full force and effect at all times relevant to the charges brought herein and expired on May 31, 2009 and has not been renewed.

3. On or about March 2, 2010, Kami Pratab, an employee of the Board of Registered Nursing, Department of Consumer Affairs, served by Certified and First Class Mail a copy of the Accusation No. 2010-412, Statement to Respondent, Notice of Defense, Request for Discovery, and Government Code sections 11507.5, 11507.6, and 11507.7 to Respondent's address of record with the Board, which was and is: 1160 Belfair Drive, Pinole, CA 94564.

A copy of the Accusation is attached as Exhibit A, and is incorporated herein by reference.

4. Service of the Accusation was effective as a matter of law under the provisions of Government Code section 11505, subdivision (c).

1 As of March 26, 2010, twenty four days after service of the accusation, neither the Certified
2 Mail Receipt nor the First Class Mail was returned to the Board.

3 5. Business and Professions Code section 2764 states:

4 The lapsing or suspension of a license by operation of law or by order or decision of
5 the board or a court of law, or the voluntary surrender of a license by a licentiate shall not deprive
6 the board of jurisdiction to proceed with an investigation of or action or disciplinary proceeding
7 against such license, or to render a decision suspending or revoking such license.

8 6. Government Code section 11506 states, in pertinent part:

9 (c) The respondent shall be entitled to a hearing on the merits if the respondent files a
10 notice of defense, and the notice shall be deemed a specific denial of all parts of the accusation
11 not expressly admitted. Failure to file a notice of defense shall constitute a waiver of respondent's
12 right to a hearing, but the agency in its discretion may nevertheless grant a hearing.

13 Respondent failed to file a Notice of Defense within 15 days after service upon her of the
14 Accusation, and therefore waived her right to a hearing on the merits of Accusation No. 2010-
15 412.

16 7. California Government Code section 11520 states, in pertinent part:

17 (a) If the respondent either fails to file a notice of defense or to appear at the hearing, the
18 agency may take action based upon the respondent's express admissions or upon other evidence
19 and affidavits may be used as evidence without any notice to respondent.

20 8. Pursuant to its authority under Government Code section 11520, the Board finds
21 Respondent is in default. The Board will take action without further hearing and, based on the
22 evidence on file herein, finds that the allegations in Accusation No. 2010-412 are true.

23 9. The total costs for investigation and enforcement in connection with the Accusation
24 are \$22,277.00 as of March 26, 2010.

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DETERMINATION OF ISSUES

1. Based on the foregoing findings of fact, Respondent Kristen Rae Karvosky Freeman has subjected her Registered Nurse License No. 659861, to discipline.

2. A copy of the Accusation is attached.

3. The agency has jurisdiction to adjudicate this case by default.

4. The Board of Registered Nursing is authorized to revoke Respondent's Registered Nurse License based upon the following violations alleged in the Accusation:

a. Violation of Business and Professions Code section 2761(a) - Unprofessional Conduct.

b. Violation of Business and Professions Code section 2761(d) - Violating or attempting to violate, directly, or assisting in or abetting the violating of, or conspiring to violate any provision or term of this chapter or regulations adopted pursuant to it.

c. Violation of Business and Professions Code section 2761(f) - Conviction substantially related to the qualifications, functions and duties of a registered nurse.

d. Violation of Business and Professions Code section 2762(a) - Obtaining or possessing controlled substances without a prescription.

e. Violation of Business and Professions Code section 2762(b) - Use of controlled substance or alcohol to an extent or in a manner dangerous or injurious to oneself and others.

f. Violation of Business and Professions Code section 2762(c) - Criminal conviction involving alcoholic beverages or controlled substances.

g. Violation of Business and Professions Code section 2762(e) - Falsify, or make grossly incorrect, grossly inconsistent, or unintelligible entries in any hospital, patient, or other record pertaining to a controlled substance.

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**BEFORE THE
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:

Case No. 2010-412

KRISTEN RAE KARVOSKY FREEMAN
a.k.a Kristen Rae Freeman
1160 Belfair Drive
Pinole, CA 94564

ORDER

Registered Nurse License No. 659861

Respondent

IT IS SO ORDERED that Registered Nurse License No. 659861, heretofore issued to Respondent Kristen Rae Karvosky Freeman, is revoked.

Pursuant to Government Code section 11520, subdivision (c), Respondent may serve a written motion requesting that the Decision be vacated and stating the grounds relied on within seven (7) days after service of the Decision on Respondent. The agency in its discretion may vacate the Decision and grant a hearing on a showing of good cause, as defined in the statute.

This Decision shall become effective on June 3, 2010.

It is so ORDERED May 4, 2010.



FOR THE BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS

Attachment:

Exhibit A: Accusation No. 2010-412

Exhibit A

Accusation No. 2010-412

1 EDMUND G. BROWN JR.
Attorney General of California
2 FRANK H. PACOE
Supervising Deputy Attorney General
3 HANNAH H. ROSE
Deputy Attorney General
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6 Facsimile: (415) 703-5480
Attorneys for Complainant

8 LYDIA ZANE
Senior Legal Analyst

10 **BEFORE THE**
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
11 **STATE OF CALIFORNIA**

13 In the Matter of the Accusation Against:

Case No. **2010 - 412**

14 **KRISTEN RAE KARVOSKY FREEMAN;**
15 **a.k.a. KRISTEN RAE FREEMAN**
1160 Belfair Drive
Pinole, CA 94564
16 Registered Nurse License No. RN 659861

A C C U S A T I O N

17 Respondent.

19 Complainant alleges:

20 **PARTIES**

21 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation solely in her
22 official capacity as the Interim Executive Officer of the Board of Registered Nursing, Department
23 of Consumer Affairs.

24 2. On or about June 30, 2005, the Board of Registered Nursing issued Registered Nurse
25 License Number RN 659861 to Kristen Rae Karvosky Freeman, a.k.a. Kristen Rae Freeman
26 (Respondent). The Registered Nurse License expired on May 31, 2009, and has not been
27 renewed.

JURISDICTION

3. This Accusation is brought before the Board of Registered Nursing (Board), Department of Consumer Affairs, under the authority of the following laws. All section references are to the Business and Professions Code unless otherwise indicated.

STATUTORY PROVISIONS

4. Section 2750 of the Code states:

"Every certificate holder or licensee, including licensees holding temporary licenses, or licensees holding licenses placed in an inactive status, may be disciplined as provided in this article [Article 3 of the Nursing Practice Act (Bus. & Prof Code, § 2700 et seq.)]. As used in this article, "license" includes certificate, registration, or any other authorization to engage in practice regulated by this chapter. The proceedings under this article shall be conducted in accordance with Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code [the Administrative Procedure Act], and the board shall have all the powers granted therein."

5. Section 2764 of the Code provides, in pertinent part, that the expiration of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or to render a decision imposing discipline on the license.

6. Section 2811(b) of the Code provides, in pertinent part, that the Board may renew an expired license at any time within eight years after the expiration.

7. Section 492 of the Code provides in pertinent part, that notwithstanding any other provision of law, successful completion of any diversion program under the Penal Code, or successful completion of an alcohol and drug problem assessment program under Article 5 (commencing with Section 23249.50) of Chapter 12 of Division 11 of the Vehicle Code, shall not prohibit any agency established under Division 2 (commencing with Section 500) of this code, or any initiative act referred to in that division, from taking disciplinary action against a licensee or from denying a license for professional misconduct, notwithstanding that evidence of that misconduct may be recorded in a record pertaining to an arrest.

...

1 8. Section 2761 of the Code states, in pertinent part, that the board may take disciplinary
2 action against a certified or licensed nurse or deny an application for a certificate or license for
3 any of the following:

4 (a) Unprofessional conduct . . .

5 . . .

6 (d) Violating or attempting to violate, directly or indirectly, or assisting in or abetting the
7 violating of, or conspiring to violate any provision or term of this chapter or regulations adopted
8 pursuant to it.

9 . . .

10 (f) Conviction of a felony or of any offense substantially related to the qualifications,
11 functions, and duties of a registered nurse, in which event the record of the conviction shall be
12 conclusive evidence thereof.

13 . . .

14 9. Section 2762 of the Code states:

15 "In addition to other acts constituting unprofessional conduct within the meaning of this
16 chapter, it is unprofessional conduct for a person licensed under this chapter to do any of the
17 following:

18 "(a) Obtain or possess in violation of law, or prescribe, or except as directed by a licensed
19 physician and surgeon, dentist, or podiatrist administer to himself or herself, or furnish or
20 administer to another, any controlled substance as defined in Division 10 (commencing with
21 Section 11000) of the Health and Safety Code or any dangerous drug or dangerous device as
22 defined in Section 4022.

23 "(b) Use any controlled substance as defined in Division 10 (commencing with Section
24 11000) of the Health and Safety Code, or any dangerous drug or dangerous device as defined in
25 Section 4022, or alcoholic beverages, to an extent or in a manner dangerous or injurious to
26 himself or herself, any other person, or the public or to the extent that such use impairs his or her
27 ability to conduct with safety to the public the practice authorized by his or her license.

1 "(c) Be convicted of a criminal offense involving the prescription, consumption, or
2 self-administration of any of the substances described in subdivisions (a) and (b) of this section,
3 or the possession of, or falsification of a record pertaining to, the substances described in
4 subdivision (a) of this section, in which event the record of the conviction is conclusive evidence
5 thereof.

6 ...

7 "(e) Falsify, or make grossly incorrect, grossly inconsistent, or unintelligible entries in any
8 hospital, patient, or other record pertaining to the substances described in subdivision (a) of this
9 section."

10 10. Section 125.3 of the Code provides, in pertinent part, that the Board may request the
11 administrative law judge to direct a licentiate found to have committed a violation or violations of
12 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
13 enforcement of the case.

14 11. Section 490 of the Code states:

15 "(a) In addition to any other action that a board is permitted to take against a licensee, a
16 board may suspend or revoke a license on the ground that the licensee has been convicted of a
17 crime, if the crime is substantially related to the qualifications, functions, or duties of the business
18 or profession for which the license was issued.

19 "(b) Notwithstanding any other provision of law, a board may exercise any authority to
20 discipline a licensee for conviction of a crime that is independent of the authority granted under
21 subdivision (a) only if the crime is substantially related to the qualifications, functions, or duties
22 of the business or profession for which the licensee's license was issued.

23 "(c) A conviction within the meaning of this section means a plea or verdict of guilty or a
24 conviction following a plea of nolo contendere. Any action that a board is permitted to take
25 following the establishment of a conviction may be taken when the time for appeal has elapsed, or
26 the judgment of conviction has been affirmed on appeal, or when an order granting probation is
27 made suspending the imposition of sentence, irrespective of a subsequent order under the
28 provisions of Section 1203.4 of the Penal Code.

"(d) The Legislature hereby finds and declares that the application of this section has been made unclear by the holding in *Petropoulos v. Department of Real Estate* (2006) 142 Cal.App.4th 554, and that the holding in that case has placed a significant number of statutes and regulations in question, resulting in potential harm to the consumers of California from licensees who have been convicted of crimes. Therefore, the Legislature finds and declares that this section establishes an independent basis for a board to impose discipline upon a licensee, and that the amendments to this section made by Senate Bill 797 of the 2007 -08 Regular Session do not constitute a change to, but rather are declaratory of, existing law."

12. California Health and Safety Code, section 11173(a), states that no person shall obtain or attempt to obtain controlled substances, or procure or attempt to procure the administration of or prescription for controlled substances, (1) by fraud, deceit, misrepresentation, or subterfuge; or (2) by the concealment of a material fact.

REGULATORY PROVISIONS

13. California Code of Regulations, Title 16, section 1444(c), states that a conviction or act shall be considered to be substantially related to the qualifications, functions or duties of a registered nurse if to a substantial degree it evidences the present or potential unfitness of a registered nurse to practice in a manner consistent with the public health, safety, or welfare. Such convictions or acts shall include but not be limited to theft, dishonesty, fraud, or deceit.

14. DRUGS

“**Lorazepam**” is a Schedule IV controlled substance pursuant to Health and Safety Code section 11057(d)(11) and a dangerous drug pursuant to Business and Professions Code section 4022. Lorazepam is a Benzodiazepine and a central nervous system (CNS) depressant. It is used to relieve anxiety.

“Norco”, one of the brand names for “**Hydrocodone**”, is a Schedule III controlled substance pursuant to Health and Safety Code section 11056(e) and a dangerous drug pursuant to Business and Professions Code section 4022. Hydrocodone is a semi synthetic narcotic analgesic and antitussive with multiple actions qualitatively similar to codeine.

1 "Alprazolam", a Schedule IV controlled substance as designated by Health and Safety
2 Code section 11057(d)(1) and a dangerous drug as designated by Business and Professions Code
3 section 4022. It is a depressant drug.

4 FACTUAL BACKGROUND

5 15. On or about October 24, 2007, the Board of Registered Nursing (Board) received a
6 complaint regarding Kristen Freeman (Respondent) from Doctor's Medical Center (DMC)
7 located in San Pablo, California, where Respondent had been employed as a Registered Nurse
8 since June 2005. The complainant alleged that on or about October 6, 2007, a patient assigned to
9 Respondent's care had complained of pain but had not received pain medication all day.
10 Respondent removed two Norco tablets for the patient at 1813 hours, but the medication had not
11 been administered. Respondent admitted that she did not give the Norco tablets to the patient.
12 Respondent later informed the Charge Nurse that she found the Norco medication in her pocket.
13 When respondent returned the Norco to a DMC Nurse Supervisor the following day, the
14 medication was not in its original packaging. Respondent was then placed on administrative
15 leave.

16 16. Further review by DMC supervisory staff of the Omnicell medication dispensing
17 record revealed that in one 12 hour shift, in thirteen instances, Respondent had removed
18 medication for patients who were not assigned to her care and did not document the
19 administration of the medication. Additionally, in seventeen instances, Respondent removed
20 medication for patients who were assigned to her care, but did not document the administration of
21 the medication. In two additional instances, Respondent removed medication for patients who
22 were assigned to her care as "Team Lead" but only documented that one tablet of the medication
23 was administered to the patient.

24 17. On or about October 15, 2007, a Skelly Hearing was held and Respondent was
25 terminated from her employment at DMC.

26 18. On or about August 21, 2008, Respondent visited the Lucky's Pharmacy in Pinole,
27 California, to fill a prescription for 90 count of Ativan 2 mg., for Jordan Freeman. Lucky's
28 Pharmacy staff previously received a pharmacy alert from a Consumer Affairs officer to be on the

1 lookout for a fraudulent prescription in the name of Jordan Freeman. Pharmacy staff contacted
2 law enforcement when Respondent called in the prescription and appeared at the Pharmacy to
3 pick it up. Respondent became nervous when Pharmacy staff asked her for updated medical
4 information and left the store after paying for other items. Law enforcement detained Respondent
5 in the Lucky's parking lot and pharmacy staff positively identified Respondent as the person who
6 had attempted to pick up the order. Respondent was arrested for the forged prescription.
7 Respondent admitted to the arresting officer that the prescription was forged, that she knew it was
8 in her husband's name and that she was going to pick it up. She also admitted that she had done
9 this because she had a narcotic problem. Respondent further admitted that she had been arrested
10 for the same thing the previous month in Hercules and that a court appearance on that incident
11 was pending.

12 FIRST CAUSE FOR DISCIPLINE

13 (Substantially Related Conviction)

14 19. Respondent's Registered Nurse license is subject to disciplinary action under code
15 sections 490, 2761(f) and 2762(c)(d) in that on or about May 15, 2009, Respondent was convicted
16 on her plea of no contest to violations of Penal Code section 487(a)/508 (grand theft –
17 embezzlement by clerk, agent or servant), a felony; of Health and Safety Code section 11173(a)
18 (obtaining a controlled substance by fraud), a felony; and of Health and Safety Code section
19 11368 (forging and issuing a prescription) a felony, in the case entitled *People v. Kristen Rae*
20 *Freeman*, before the Superior Court, Contra Costa County, Richmond, Court Case No. 300952-9.
21 The circumstances of the conviction are set forth in paragraph 18, above. Respondent was
22 sentenced to serve 3 years of formal probation with standard terms and conditions; ordered
23 imprisoned for 270 days with 250 days credit for time served. Respondent was also ordered to
24 pay restitution fines and fees.

25 a. Respondent's conduct, set forth above in paragraphs 18 and 19, is substantially
26 related to the qualifications, functions and/or duties of a Registered Nurse as defined in Title 16,
27 California Code of Regulations section 1444(c).
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1 administration of the medication to the patient or of wastage of the medication. Respondent was
2 not assigned to care for Patient A.

3 (2) On or about October 6, 2007, at 0746 hours and again at 1214 hours, Respondent
4 withdrew two 10 mg/325 mg tabs of Norco, a Schedule III controlled substance, prescribed to
5 Patient A for moderate pain. The patient's medication administration record has no record of
6 administration of the medication to the patient or of wastage of the medication. Respondent was
7 not assigned to care for Patient A.

8 **b. Patient "D":**

9 (1) On or about October 6, 2007, at 1044 hours, Respondent removed two 1 mg.
10 tablets of Lorazepam, prescribed to Patient D for moderate anxiety. There is no charting in the
11 patient's medication administration record that shows whether the medication was given to the
12 patient or that the medication was wasted or otherwise accounted for. Respondent was not
13 assigned to care for Patient D.

14 (2) On or about October 6, 2007, at 1108 hours and again at 1403 hours, Respondent
15 removed two Norco 10 mg/325 mg tabs, prescribed to Patient D for moderate pain. There is no
16 charting in the patient's medication administration report indicating that the medication was given
17 to the patient or that the medication was wasted or otherwise accounted for. Respondent was not
18 assigned to care for Patient D.

19 **c. Patient "E":**

20 (1) On or about October 6, 2007, at 0815 hours, Respondent removed two Norco 10
21 mg/325 mg tabs, prescribed to Patient E for moderate pain. There is no charting in the patient's
22 medication administration report that shows whether the Norco was given to the patient or that it
23 was wasted or otherwise accounted for. Respondent was not assigned to care for Patient E.

24 **d. Patient "F":**

25 (1) On or about October 6, 2007, at 0816 hours and again at 1045 hours, Respondent
26 removed two Norco 10mg/325 mg tabs, prescribed to Patient F for pain. There is no charting in
27 the patient's medication administration report that shows whether the medication was given or
28 that it was wasted or otherwise accounted for. Respondent was not assigned to care for Patient F.

1 e. Patient "J":

2 (1) On or about September 12, 2007, at 0916 hours and again at 1352 hours,
3 Respondent removed one Norco 10 mg/325 mg tab, prescribed to Patient J for mild pain. There is
4 no charting in the patient's medication administration record to indicate whether the medication
5 was given to the patient or that the medication was wasted or otherwise accounted for.
6 Respondent was not assigned to care for Patient J.

7 f. Patient "K":

8 (1) On or about September 26, 2007, at 0724 hours, 1103 hours and again at 1342
9 hours, Respondent removed two Norco 10 mg/325 mg tabs, prescribed to Patient K for pain.
10 There is no charting in the patient's medication administration record to indicate whether the
11 medication was given to the patient or that the medication was wasted or otherwise accounted for.
12 Respondent was not assigned to care for Patient K.

13 g. Patient "L":

14 (1) On or about September 21, 2007, at 0657 hours, 0658 hours, 0700 hours and
15 again at 0704 hours, Respondent removed two Norco 10 mg/325 mg tabs prescribed to Patient L
16 for pain. There is no charting in the patient's medication administration record that shows
17 whether the medication was given to the patient or the medication was wasted or otherwise
18 accounted for. Respondent was not assigned to care for Patient L.

19 (2) On or about September 21, 2007, at 0700 hours and again at 0704 hours,
20 Respondent removed two Lorazepam 1 mg tablets prescribed to Patient L for moderate anxiety.
21 There is no charting in the patient's medication administration record that shows whether the
22 medication was given to the patient or the medication was wasted or otherwise accounted for.
23 Respondent was not assigned to care for Patient L.

24 SIXTH CAUSE FOR DISCIPLINE

25 (Falsify Records Pertaining to Controlled Substances)

26 24. Respondent's license is subject to disciplinary action under Code section 2762(e), in
27 that while employed as a Registered Nurse at DMC, Respondent falsified or made grossly
28 incorrect, grossly inconsistent entries or unintelligible entries in hospital, patient, or other records

1 pertaining to controlled substances, to wit: Lorazepam, Norco and/or Alprazolam. The
2 circumstances are as follows:

3 a. On or about October 6, 2007, while employed as a Registered Nurse at Doctors'
4 Medical Center in San Pablo, Respondent diverted controlled substances revealed in patient
5 records which included but are not limited to the following discrepancies:

6 **(1) Patient "B"**

7 (a) Lorazepam, a Schedule IV controlled substance, was prescribed for Patient B as
8 follows: 1.5 mg intravenously or orally every 4 hours as needed for moderate anxiety. The
9 Omnicell report indicated that at 0810 hours, at 1216 hours and again at 1814 hours, Respondent
10 removed two 1 mg. tablets of Lorazepam to give to Patient B. The patient's medical
11 administration record has no charting by Respondent showing that the medications were either
12 given to Patient B or were wasted or otherwise accounted for. Respondent's notes in the patient's
13 care plan/nursing notes indicate that the patient denied complaints of pain.

14 (b) Norco, a Schedule III controlled substance, was prescribed to Patient B as
15 follows: two 10 mg/325 mg tabs to be taken orally every 4 hours as needed for moderate pain.
16 According to the Omnicell report, Respondent removed two 10 mg/325 mg tabs of Norco at 0809
17 hours, at 1216 hours, at 1404 hours, and again at 1813 hours to administer to Patient B. There is
18 no charting in the patient's medication administration record to indicate if the Norco tablets were
19 given to the patient or if they were wasted or otherwise accounted for. Notes in the patient's care
20 plan/nursing notes indicate that the patient denied pain at 0800 hours and at 1200 hours.

21 **(2) Patient "C"**

22 (a) Norco, , a Schedule III controlled substance, was prescribed for Patient "C" as
23 follows: one to two 10 mg/325 mg tabs to be taken orally every 4 hours as needed for pain.
24 According to the Omnicell report, Respondent removed two Norco 10 mg/325 mg tabs for Patient
25 C at 0810 hours, at 1215 hours and at 1404 hours. There is no charting in the patient's
26 medication administration record to indicate that the medication was given to the patient or that
27 the medication was wasted or otherwise accounted for.
28

1 (b) Alprazolam, a Schedule IV controlled substance, was prescribed for Patient C
2 as follows: one 1.5 mg tab taken orally every 4 hours as needed for anxiety. According to the
3 Omnicell report, Respondent removed one .5 mg tablet of Alprazolam at 1045 hours and at 1404
4 hours. There is no charting in the patient's medication administration record to indicate that the
5 medication was given to the patient or if it was wasted or otherwise accounted for.

6 (3) Patient "G"

7 (a) Norco, , a Schedule III controlled substance, was prescribed for Patient G as
8 follows: two 10 mg/325 mg tabs taken orally every 3 hours as needed for pain unrelieved by one
9 tab or on a pain scale greater than 5/10. According to the Omnicell report, Respondent removed
10 two Norco tabs for Patient G at 0816 hours. At 1045 hours. Respondent removed one Norco tab
11 for Patient G. There is no charting in Patient G's medication administration record to indicate
12 whether the Norco was given to the patient or if the medication was wasted or otherwise
13 accounted for. The patient's care plan/nursing notes indicate that Respondent was assigned to be
14 "team lead" for the care of Patient G.

15 (4) Patient "H"

16 (a) Norco, , a Schedule III controlled substance, was prescribed for Patient H to be
17 taken orally every 4 hours as needed for moderate pain. According to the Omnicell report,
18 Respondent removed two 10 mg/325 mg tabs at 0817 hours, at 1216 hours and again at 1814
19 hours. There is no charting in the medication administration record to indicate that the
20 medication was given to the patient or if it was wasted or otherwise accounted for.

21 (4) Patient "I"

22 (a) Alprazolam, a Schedule IV controlled substance, was prescribed for Patient I as
23 follows: "0.5 mg orally three times a day as needed for anxiety." According to the Omnicell
24 report, Respondent removed one 0.5 mg tab of Alprazolam at 1046 hours for Patient I. There was
25 no charting in the patient's medication administration record that would indicate that the
26 medication was given to the patient or if it was wasted or otherwise accounted for. The patient's
27 care plan/nursing notes show that Respondent was assigned as the "team leader" for the care of
28 Patient I.

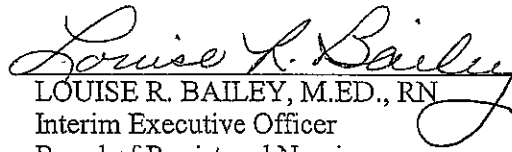
PRAYER

WHEREFORE; Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

1. Revoking Registered Nurse License Number RN 659861, issued to Kristen Rae Karvosky Freeman, a.k.a. Kristen Rae Freeman.
2. Ordering Kristen Rae Freeman to pay the Board of Registered Nursing the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3;
3. Taking such other and further action as deemed necessary and proper.

DATED: _____

3/2/10


LOUISE R. BAILEY, M.ED., RN
Interim Executive Officer
Board of Registered Nursing
Department of Consumer Affairs
State of California
Complainant

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